

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*“Track Three”*

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**CT3 PLAINTIFFS’ JOINT TRIAL EXHIBIT LIST**

Plaintiffs, Lake County, Ohio and Trumbull County, Ohio hereby submit their joint trial exhibit list, pursuant to the Track 3 Civil Jury Trial Order, ECF No. 3758, and the Joint Trial Exhibit Stipulation agreed to by the parties. Plaintiffs submits this list subject to all of the rights reserved in the Parties’ Joint Trial Exhibit Stipulation, including the right to amend, modify, withdraw, and supplement this trial exhibit list prior to and during trial.

By filing this exhibit list, Plaintiffs do not waive, and expressly reserve, all rights afforded under the Track 3 Civil Jury Trial Order, the Joint Trial Exhibit Stipulation, and any applicable federal and local rules to amend, modify, withdraw, and supplement this trial exhibit list prior to and during trial. Plaintiffs’ also reserve the right to use any deposition transcripts and any exhibits to deposition transcripts for any witnesses being called to testify at trial and/or use any deposition exhibits or other documents associated with any testimony that has been or will be designated or counter-designated by any party. Plaintiffs’ reserve the right to use any and all documents or materials listed by any other party, including any defendant even if such defendant may later settle, be severed, or be otherwise dismissed.

Further, Plaintiffs’ reserve the right: (1) to withdraw at any time any exhibit identified

on their list; (2) to use admissible exhibits identified on any party's exhibit lists, including any party who later settles or is severed or dismissed; (3) to supplement and/or to amend their list upon receipt of any Defendants exhibit list(s), witness list(s) and/or amendments and changes to Plaintiffs' or Defendants' deposition designations or counter-designations; (4) to supplement and/or to amend their list in the event that additional relevant documents or materials are produced in this action, identified in subsequent supplemental expert reports, or are discovered subsequent to the date of service of this exhibit list; (5) to supplement their list with any medical or scientific literature, other data, or regulatory findings or communications issued or published after the date of this submission; (6) to supplement and/or to amend their list or to use additional unlisted documents and/or data at trial as required for rebuttal, cross examination, demonstrative purposes, impeachment purposes, or to cure an evidentiary objection; (7) to supplement and/or to amend their list in response to rulings of the Court on pretrial motions or any other Court decisions that affect the scope of evidence in this trial; and (8) to supplement and/or amend their list as necessary based on the severance, settlement, and/or dismissal of any Defendant.

The inclusion of any exhibit on this exhibit list is not intended to waive or affect any prior confidentiality designation in this litigation. Plaintiffs also reserve the right to object to the introduction and/or admissibility of any document listed on any party's exhibit list. The inclusion of a particular document on Plaintiffs' exhibit list does not waive any right to object to the introduction and/or admissibility of that document for any purpose. Certain of Plaintiffs' listed exhibits may also pertain to topics that are ultimately excluded from evidence at trial by motion in limine or any other motion. By listing such exhibits, Plaintiffs' do not intend to

waive any right to object to the introduction and/or admissibility of those documents for any purpose.

Respectfully submitted,

/s/ Jayne Conroy

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 10, 2021, a copy of the foregoing has been served via CM/ECF to all counsel of record.

Jayne Conroy  
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Simmons Hanly Conroy